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7
8 UNITED STATES DISTRICT COURT
9 FOR THE NORTHERN DISTRICT OF CALIFORNIA
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11 BAY AREA PAINTERS AND TAPERS
PENSION TRUST FUND, et al.

12 Plaintiffs,

13 v.

14 J.F. McCRAY PLASTERING, INC., a
15 California Corporation,

16 Defendant.

Case No.: C14-0604 SI

**PLAINTIFFS' REQUEST TO CONTINUE
CASE MANAGEMENT CONFERENCE;
~~[PROPOSED]~~ ORDER THEREON**

Date: November 14, 2014

Time: 2:30 p.m.,

Dept.: Courtroom 10, 19th Floor, San
Francisco, CA

Judge: Honorable Susan Illston

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18 Plaintiffs herein respectfully request that the Case Management Conference, currently on
19 calendar for November 14, 2014 be continued for approximately sixty (60) days. Good cause
20 exists for the continuance, as follows:

21 1. As the Court's records will reflect, this action was filed on February 7, 2014 to
22 collect unpaid contributions and related amounts owed to Plaintiffs for work performed by
23 Defendant's employees.

24 2. Defendant was served with the Complaint on March 12, 2014, and a Proof of
25 Service of Summons was filed with the Court on March 31, 2014. Defendant failed to plead or
26 otherwise respond to the lawsuit, and the Clerk entered Defendant's default on April 7, 2014.

27 3. The Court continued the previously scheduled Case Management Conference to
28 allow time for the parties to attempt to resolve this matter informally.

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REQUEST TO CONTINUE CASE MANAGEMENT CONFERENCE
No.: C14-0604 SI

5. Plaintiffs requested payment for Defendant's delinquent contributions directly from general contractors Defendant worked for during the relevant time period and made a claim on Defendant's Wage and Fringe Benefit Responsibility Bond. Plaintiffs have received some payments from the general contractors Defendant worked for and expect at least one additional payment. Plaintiffs' claim on Defendant's bond is currently pending.

7. There are no issues that need to be addressed by the parties at the currently scheduled Case Management Conference. In the interest of conserving costs, as well as the Court's time and resources, Plaintiffs respectfully request that the Case Management Conference be continued for approximately sixty (60) days to allow sufficient time for Plaintiffs to continue their attempts to resolve this matter informally.

I declare under penalty of perjury that I am the attorney for the Plaintiffs in the above entitled action, and that the foregoing is true of my own knowledge.

Executed this 7th day of November 2014, at San Francisco, California.

**SALTZMAN & JOHNSON
LAW CORPORATION**

By: _____/S/

Erica J. Russell
Attorney for Plaintiffs

IT IS SO ORDERED.

Based on the foregoing, and GOOD CAUSE APPEARING, the currently set Case Management Conference is hereby continued to Jan 23, 2015, at 3:00pm. All related deadlines are extended accordingly.

Date: 11/10/14

Susan Blanton

UNITED STATES DISTRICT JUDGE

PROOF OF SERVICE

I, the undersigned, declare:

1. I am a citizen of the United States and am employed in the County of San Francisco, State of California. My business address is 44 Montgomery Street, Suite 2110, San Francisco, California 94104.

2. I am over the age of eighteen and not a party to this action.

3. On **November 7, 2014**, I served the following document(s):

**PLAINTIFFS' REQUEST TO CONTINUE CASE MANAGEMENT CONFERENCE;
[PROPOSED] ORDER THEREON**

on the interested parties in said action by enclosing a true and exact copy of each document in a sealed envelope and placing the envelope for collection and First Class mailing following our ordinary business practices. I am readily familiar with this business' practice for collecting and processing correspondence for mailing. On the same day that correspondence is placed for collection and mailing, it is deposited in the ordinary course of business with the United States Postal Service in a sealed envelope with postage fully prepaid.

4. The envelopes were addressed and mailed as follows:

**J.F. McCray Plastering, Inc.
2590 South River Road
West Sacramento, CA 95691**

I declare under penalty of perjury that the foregoing is true and correct and that this declaration was executed on **November 7, 2014**, at San Francisco, California.

_____/S/
Elise Cotterill
Paralegal